

AFFIDAVIT OF SERVICE

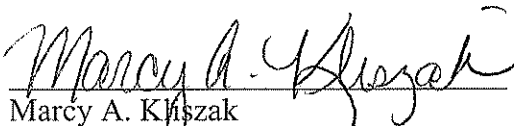
STATE OF NEW YORK)
)
COUNTY OF ERIE) ss:

Marcy A. Kliszak, being duly sworn, deposes and says: I am not a party to this action, I am over eighteen (18) years of age and reside in Erie County, New York. On May 30, 2008 I served the within Notice of Motion with Attorney Affidavit and attached exhibits upon the following:

Hon. Charles L. Brieant
United States District Judge
United States Courthouse
300 Quarropas Street, Room 275
White Plains, NY 10601

Mitchell J. Baker, Esq.
Baker, Leshko, Saline & Blosser, LLP
One North Lexington Avenue
White Plains, NY 10601-1712

By depositing a true copy of same enclosed in a post-paid properly addressed wrapper, in a post official depository under the exclusive care and custody of the United States Postal Service with the State of New York and on May 30, 2008 filed the Notice of Motion with Attorney Affidavit and attached exhibits electronically with the Clerk of the Court for the United States District Court for the Southern District


Marcy A. Kliszak

Sworn to before me this
30th day of May, 2008.


Notary Public

Notary Public
Stephen A. Manuele
Reg. No. 02MA6075903
Valid From 6/10/2002 To 6/10/2012
County Of Erie